

Defendant further asserts the deputy commissioner erred in finding claimant sustained industrial disability as a result of the work injury.

Claimant asserts the arbitration decision should be affirmed in its entirety.

I performed a de novo review of the evidentiary record before the presiding deputy workers' compensation commissioner and the detailed arguments of the parties. Pursuant to Iowa Code section 86.24 and 17A.15, I affirm and adopt as the final agency decision those portions of the proposed arbitration decision filed on May 23, 2019, which relate to the issues properly raised on intra-agency appeal.

I find the deputy commissioner provided a well-reasoned analysis of all the issues raised in the arbitration proceeding. I affirm the deputy commissioner's findings of fact and conclusions of law pertaining to those issues. I affirm the deputy commissioner's finding claimant met her burden of proving she sustained permanent disability as a result of the work-related injury. I affirm the deputy commissioner's finding claimant met her burden of proving the work-related injury is the proximate cause of her current disability and need for medical treatment. I affirm the deputy commissioner's finding claimant sustained twenty percent industrial disability as a result of the work injury.

I affirm the deputy commissioner's findings, conclusions, and analysis regarding all of the above issues.

ORDER

IT IS THEREFORE ORDERED that the arbitration decision filed on May 23, 2019, is affirmed in its entirety.

Defendant shall pay claimant one hundred (100) weeks of permanent partial disability benefits, at the rate of three hundred fifty-one and 51/100 dollars (\$351.51) per week, commencing on September 20, 2016.

Defendant shall take credit for all benefits previously paid.

Defendant is responsible for all causally related medical expenses as set forth in the arbitration decision.

Defendant shall reimburse claimant for costs associated with Dr. Bansal's IME.

Defendant shall file subsequent reports of injury as required by this agency under rule 876 IAC 3.1(2).

Defendant shall pay the costs of the appeal, including the preparation of the hearing transcript.

Signed and filed this 28th day of May, 2020.

A handwritten signature in black ink, appearing to read "Michael J. Lunn", written over a horizontal line.

MICHAEL J. LUNN
DEPUTY WORKERS'
COMPENSATION COMMISSIONER

The parties have been served as follows:

James C. Byrne Via WCES

William D. Scherle Via WCES